IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 24756 of 1995

Between:

V. TIRUPATHI REDDY

..... PETITIONER

AND

1 THE CHAIRMAN, I.T-CUM-LABOUR COURT
GODAVARIKAHNI
2 THE A.P.S.R.T.C. REP. BY DEPOT MANAGER
KARIMNAGAR-I DEPOT, KARIMNAGAR.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Certiorari or any other appropriate writ, calling for records relating to I.D.no.148/92 from the 1st respondent and quash the award as arbitrary unjustified and unconstitutional and consequently direct the 2nd respondent to reinstate the petitioner into service with continuity of service and all consequential benefits including back-wages.

Counsel for the Petitioner:Ms.P.Rajani

Counsel for the Respondent No.1: Government Pleader for Labour

Counsel for the Respondent No.2: Standing Counsel for APSRTC

The Court made the following :

ORDER:

This Writ Petition is filed assailing the award in I.D.No.148 of 1992 dated 16.5.1994 passed by the learned Chairman, Industrial Tribunal-cum-Labour Court, Godavarikhani. The petitioner was sought to be appointed subject to verification of antecedents. However, it was found that the petitioner produced the false Memo of Marks. Therefore, the services of the petitioner were terminated. Challenging the same, he raised an industrial dispute in I.D.No.148 of 1992.

2. The learned Tribunal found that the petitioner obtained the employment by producing false memo of marks. Under those circumstances, the Industrial Dispute was dismissed with exemplary costs of Rs.500/-. The said award is assailed before this Court.

3. The learned counsel for the petitioner submits that the award of the Tribunal is illegal and not sustainable in law. The marks memo submitted by the petitioner was genuine one and therefore the Tribunal ought not to have rejected the claim of the petitioner in question. I am afraid, I cannot accept this contention. Original marks memo was not filed and even the petitioner has not been able to produce the same before this Court. Under those circumstances, I do not find any ground to interfere with the award of the Tribunal.

4. Accordingly, the writ petition is dismissed. No costs.

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28.10.2004

bsv

To

1 The Chairman, I.T-cum-Labour Court
Godavarikahni
2 The Depot Manager
A.P.S.R.T.C.Karimnagar-I depot, Karimnagar

3. Two CCs to Government Pleader for Labour, High Court Buildings., Hyderabad.

(O.U.T)

4. Two CD copies